



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/321,795	05/28/99	SHIMAZAKI	K 2232-127P (NL)

LM51/0930  
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EXAMINER	
NEYZARI, A	
ART UNIT	PAPER NUMBER
2752	

**DATE MAILED:** 09/30/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/321,795

Applicant(s)  
Shimazaki et al

Examiner  
ALI NEYZARI

Group Art Unit  
2752



☒ Responsive to communication(s) filed on May 28, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 24-40 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 24-33, 35, 36, and 38-40 is/are rejected.

☒ Claim(s) 34 and 37 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2752

### **Part III DETAILED ACTION**

#### ***Preliminary Amendment Acknowledgment***

Receipt is acknowledged of Preliminary Amendment filed 5-28-99

#### ***Information Disclosure Statement***

The reference citations on PTO 1449 submitted 5-28-99 are acknowledged. All the cited references have been considered. However the Japanese patents cited by applicant are considered to the extent that could be understood from the statement of relevancy and the abstract and the drawings.

#### ***Specification***

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 24-33, 35-36, 38-40 are rejected under 35 U.S.C. 102(a) as being anticipated by

Ohki et al (US 5,708,652, cited by applicant).

Ohki et al disclose a method for recording and reproducing a magneto-optical recording medium which includes a plurality of magnetic layers. The plurality of the magnetic layers are irradiated with light beams having wavelengths with different values (  $\lambda_1$  &  $\lambda_2$  ).

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*Allowable Subject Matter*

Claims 34 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ALI NEYZARI** whose telephone number is **703-308-4906**. The examiner can normally be reached on **MONDAY-THURSDAY** from **7:00 AM** to **5:30 PM**.

The fax phone number for this Art Unit is **703-305-9731**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is **703-305-3800**.

*Ali Neyzari*  
*Primary Patent Examiner*  
*Art Unit 2752*  
9-28-1999

  
ALI NEYZARI  
PRIMARY EXAMINER